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December 18, 2024

VIA ECF

Hon. Jennifer L. Rochon
United States District Court for the Southern District of New York
500 Pearl Street, Room 1920
New York, NY 10007

Re: *iMerchant, Inc. v. JPMorgan Chase Bank, N.A., et al.* No. 1:24-cv-09727-JLR—
JPMorgan Chase Bank, N.A.’s Request for Extension of Time to Respond to Complaint

Dear Judge Rochon:

My firm is counsel for defendant JPMorgan Chase Bank, N.A. (“Chase”) in the above-captioned action, which was removed to this Court yesterday.¹ Pursuant to Rule 1(F) of Your Honor’s Individual Rules of Practice in Civil Cases, Chase writes to request an extension of time to respond to the Complaint from the current deadline of December 24, 2024² to January 23, 2025. Chase has contacted counsel for plaintiff iMerchant, Inc. to ask counsel’s consent to this request, but as of the time of this filing, counsel has not responded to Chase’s request.

This is Chase’s first extension request, which is sought so Chase can assess the allegations in the Complaint and determine its response. Chase is requesting sufficient time to do so in light of the upcoming holiday season. There is currently no scheduled appearance before the Court that such an extension would affect.

We appreciate the Court’s attention to this matter and are available should the Court have any questions.

Respectfully submitted,

/s/ **Sylvia E. Simson**

Sylvia E. Simson

¹ As Chase asserted in its Notice of Removal, its co-defendant JPMorgan Chase & Co. is not a proper party to this action. *See* Doc. No. 1 ¶¶ 17-19; *see also Russell v. Citigroup*, No. 22-CV-2057, 2023 WL 2969823, at **4-5 (E.D.N.Y. Feb. 24, 2023) (“Courts have routinely held that no cause of action can be maintained against a bank’s holding company based on [alleged] misconduct by its bank subsidiary”). Unless claims against this entity are voluntarily dismissed, the requested extension herein would apply to it as well.

² Chase removed this action to this Court on December 17, 2024. *See* Doc. No. 1. Pursuant to Fed. R. Civ. P. 81(c)(2)(C), Chase’s time to respond to the Complaint is “7 days after the notice of removal is filed.”

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